

Customer No. 26874  
PATENT TRADEMARK OFFICE  
Attorney Docket: END5135.0516315

**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Ortiz et al. : Paper No:  
Serial No. 10/675,497 : Group Art Unit:  
Filed: September 30, 2003 : Examiner:  
For: SINGLE LUMEN ANASTOMOSIS APPLIER FOR SELF-DEPLOYING  
FASTENER

**AMENDMENT TRANSMITTAL**

Mail Stop NON-FEE AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is an amendment for the above-captioned application.

Applicant is a

- ☐ Small Entity  
☒ Large Entity

The proceedings herein are for a patent application and the provisions of 37 C.F.R.  
§1.136 apply.

*(complete (a) or (b), as applicable)*

- (a) ☐ Applicant petitions for an extension of time under 37 C.F.R. §1.136 (fees: 37  
C.F.R. §1.17(a)(1)-(4)) for the total number of months checked below:

Extension (months)	Fee for other than <u>small entity</u>	Fee for <u>small entity</u>
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	420.00	210.00
<input type="checkbox"/> three months	650.00	475.00
<input type="checkbox"/> four months	1,480.00	740.00

Fee: \$ \_\_\_\_\_

Serial No.

If an additional extension of time is required, please consider this a petition therefor.

- ☐ An extension for \_\_\_\_ months has already been secured. The fee paid therefor of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$\_\_\_\_\_

- (b) ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for petition for extension of time.

**FEE FOR CLAIMS**

	Claims Remaining After Amendment		Highest Number Previously Paid For	Present Extra	Rate Small Entity		Rate Large Entity	Add'l Fee
Total *	20	Minus **	20	=	X 9.00	\$	X 18.00	\$ 0
Indep. *	3	Minus ***	3	=	X 43.00	\$	X 86.00	\$ 0
<input type="checkbox"/> First Presentation of Multiple Dependant Claim					X 145.00	\$	+290.00	\$ 0
					Total Addt'l. Fee	\$	Total Addt'l. Fee	\$ 0

\* If the entry in Col. 1 is less than entry in Col. 2, write "0" in Col. 3.

\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest No. Previously Paid For" IN THIS SPACE is less than 3, enter "3".

If the "Highest No. Previously Paid For" (Total or indep.) is the highest number found in the appropriate box in Col. 1 of the prior amendment or the number of claims originally filed.

*(complete (c) or (d) as required)*

- (c) ☒ No additional fee for claims is required.

- (d) ☐ Total additional fee for claims required \$\_\_\_\_\_

**FEE PAYMENT**

- ☐ Attached is a check in the sum of \$\_\_\_\_\_ covering the total additional fee for claims required.

Serial No.

- ☐ Please charge Frost Brown Todd LLC Account No. 06-2226 for the total fee due.

A duplicate of this transmittal is attached.

The Assistant Commissioner for Patents is authorized to charge any deficiency or credit any overpayment of fees to Frost Brown Todd LLC Deposit Account No. 06-2226.

Respectfully submitted,

Mark S. Ortiz et al.

**CERTIFICATE OF MAILING**

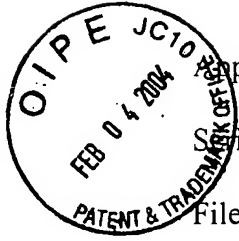
I hereby certify that a copy of this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

February 2, 2004

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**PRELIMINARY AMENDMENT****Box Non-Fee Amendment**

The Assistant Commissioner For Patents  
Washington, D.C. 20231

Dear Sir:

This is an amendment prior to a first Action in the above-identified application.

**IN THE SPECIFICATION**

Replace paragraph 14 with the following:

The invention overcomes the above-noted and other deficiencies of the prior art by providing a surgical tool or applier that facilitates laparoscopic or endoscopic implantation through a single bodily tissue lumen of an anastomotic ring device for forming a hollow rivet type of attachment between tissue lumens. In addition to forming a puncture between apposite tissue walls at the anastomosis site, the applier assists or wholly actuates the anastomotic ring device and is retracted to deploy the actuated ring device.

Amending paragraph 14 as indicated presents no new matter to the application as originally filed. Support for this amendment is found in the originally filed abstract of the invention.

Replace paragraph 29 with the following: